



DNK-1998-055-PA-DIV2:JBM:140486

Atty. Dkt. 4002-2533

GAU 3731

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: )  
Branch et al. ) Examiner  
Serial No. 09/870,023 )  
Filed 5/30/01 ) Group Art Unit  
INTERBODY FUSION GRAFTS ) 3731  
AND INSTRUMENTATION ) August 31, 2001

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on August 31, 2001.

James B. Myers, Jr.  
Name of Registered Representative  
*James B. Myers, Jr.*  
Signature  
August 31, 2001  
Date of Signature

SECOND PRELIMINARY AMENDMENT

Hon. Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Please consider this Second Preliminary Amendment in the above-captioned patent application prior to examination. A marked-up version of the amended paragraph is provided on a separate sheet attached to this Preliminary Amendment and entitled, "Version with Markings to Show Changes Made."

It is believed no fee is due; however, please charge any fees that may be due or credit any overpayment to Deposit Account No. 23-3030, but not to include payment of any issue fee.

AMENDMENTS

In the Specification:

On page 1, immediately after the title, please replace the first paragraph with the following paragraph: